

90-13
(2)
No. 90-

Supreme Court, U.S.
FILED

NOV 29 1990

JOSEPH F. SPENCER, JR.
CLERK

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 1990

JULIAN I. RICHARDS, an individual,
Petitioner,

vs.

SUBURBAN TRUST COMPANY,
Successor Personal Representative of
the Estate of Edith A. Parsons, Deceased,
and

David B. Nicholson,
Former Personal Representative of
the Estate of Elizabeth Ann Richards,
Deceased,

and

Mark Allen Richards,
Successor Personal Representative of
the Estate of Elizabeth Ann Richards,
Deceased,

Respondents.

**SUPPLEMENTAL APPENDIX TO
PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEALS OF MARYLAND**

Julian I. Richards
109 Bay Colony Drive (47th St.)
P. O. Box 846
Virginia Beach, VA 23451
(804) 425-7699 / (202) 797-7416
Petitioner, pro se

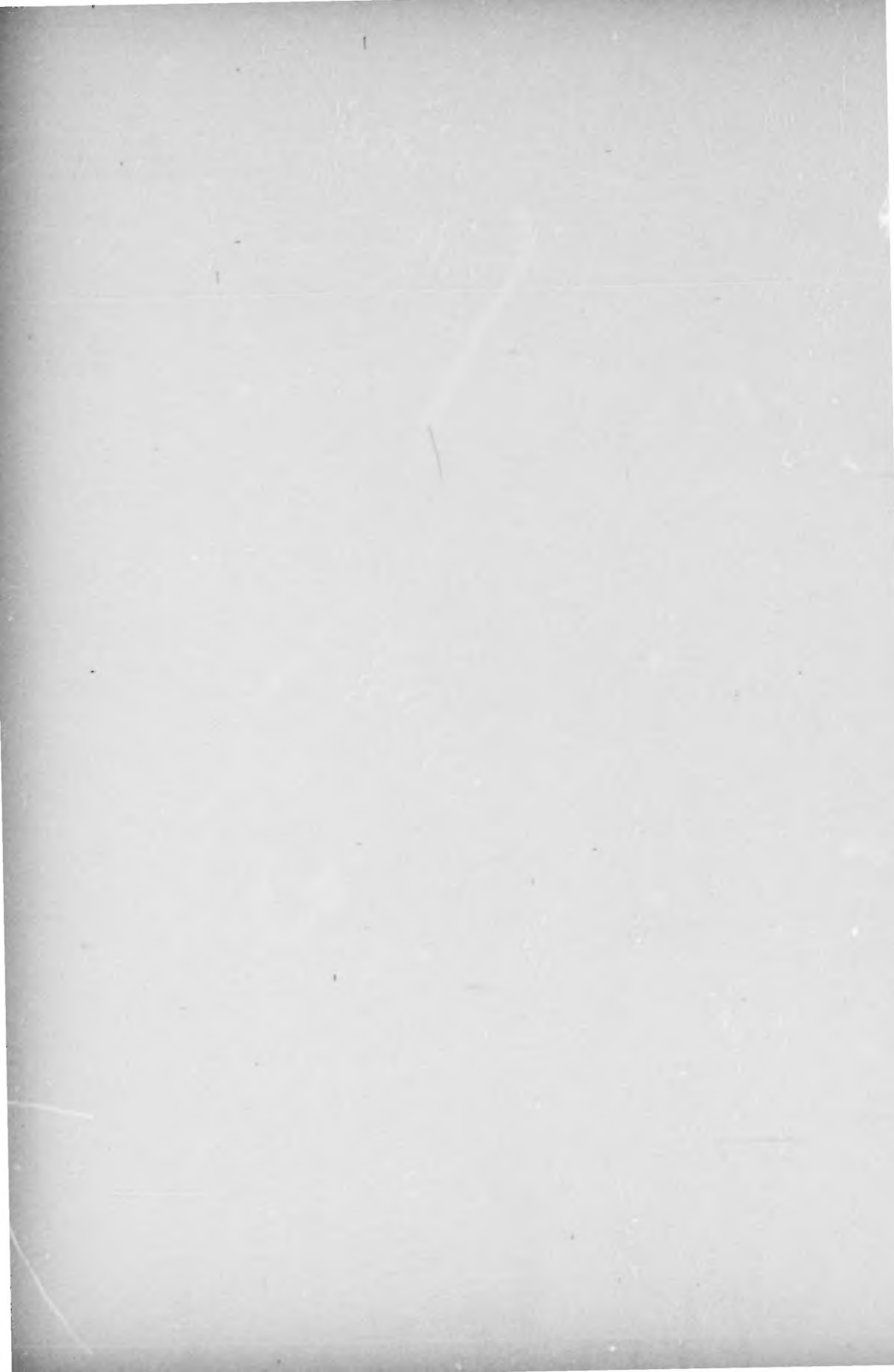


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Judgment in that case.

**UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND**

**No. 1086
September Term, 1988**

JULIAN I. RICHARDS

V.

**DAVID B. NICHOLSON AND
MARK A. RICHARDS,
PERSONAL REPRESENTATIVE OF THE
ESTATE OF ELIZABETH ANN
RICHARDS**

**Gilbert, C.J.,
Bishop,
Garritty,**

J.J.

Per Curiam

Filed: March 20, 1989

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1082
September Term, 1982

WILLIAM I. RICHARDS

DAVID S. RICHMOND AND
MARK A. RICHMOND,
PERSONAL REPRESENTATIVE OF THE
ESTATE OF ALICE L. ANN
RICHMOND

CLERK, C.J.
Bishop
Gentry

J.J.

FOR COUNSEL

Filed: March 10, 1983

The Appellant, Julian I. Richards, appeals the certification of the final accounting of his sister's last will and testament by the Orphans' Court for Montgomery County.

Previously, this court affirmed the grant of summary judgment in this matter in an unreported opinion, Richards v. Nicholson, No 1293, September Term, 1985 (filed June 27, 1986). Although the Court of Appeals granted a writ of certiorari on September 8, 1986 to review our opinion, it subsequently dismissed the writ on January 8, 1987 as having been improvidently granted, and remanded the case to this court.

The appellant's theory is that the Court of Appeals' mandate required some further action on the part of this court. Because no further action was taken, he

The appellant, Julius I. Richards, appeals the certification of the final accounting of his estate's last will and testament by the Orphans' Court for Montgomery County.

Previously, this court affirmed the grant of summary judgment in this matter in an unpublished opinion, Richards v. Richards, No. 1291, September Term, 1995 (Filed June 27, 1995). Although the Court of Appeals granted a writ of certiorari on September 8, 1995 to review our opinion, it subsequently dissuaded the writ on January 8, 1997 as having been improvidently granted, and remanded the case to this court.

The appellant's theory is that the Court of Appeals' certiorari required some further action on the part of this court. Because no further action was taken, he

believes that this court never relinquished jurisdiction. Thus, the lower court did not regain jurisdiction and lacked authority to enter the orders of July 1, 1988 and August 10, 1988. These orders respectively were issued by the Orphans' Court passing the 7th and Final Account, and the 1st and Final Account of the Successor Personal Representative.

We disagree with the appellant's contention. As the only act remaining to be performed by this court on remand from the Court of Appeals was that of returning the records to the Circuit Court for Montgomery County, which it so performed on January 9, 1987, the court did not retain jurisdiction. We hold, therefore, that the Orphans' Court for Montgomery County was vested with jurisdiction to pass the orders as to

final accounting of the estate of
Elizabeth Ann Richards.

**JUDGMENT AFFIRMED
COSTS TO BE PAID BY
APPELLANT.**

William I. Richards

David S. Richardson, Appellant
Personal Representative of the Estate of
Elizabeth Ann Richards

JUDGMENT: KARON, CB: 1987- For William
Richards, Appellant
Costs to be paid by Appellant

April 18, 1988: 3-10-1988

STATEMENT OF WORK

In Circuit Court: 1st Department
County
Circuit

Record: 100-100000-100-100
- 100-100000-100-100

In Court of Special Appeals

William Richards on Appeal: 100-100
Karon on Appeal: 100-100

Appellant: 100-100
Appellee: 100-100

Appellant: 100-100
Appellee: 100-100

STATE OF KANSAS, 1988

I do hereby certify that

Final Accounting of the Estate of
Elizabeth Ann Richards

JUDGMENT AFFIRMED
COSTS TO BE PAID BY
APPELLANT

MANDATE**Court of Special Appeals**

No. 1086, September Term, 1988

Julian I. Richards

v.

David B. Nicholson and Mark A. Richards,
Personal Representatives of the Estate of
Elizabeth Ann Richards

JUDGMENT: March 20, 1989: Per Curiam
filed. Judgment affirmed;
costs to be paid by appellant.

April 19, 1989: Mandate issued.

STATEMENT OF COSTS:

In Circuit Court: for MONTGOMERY
COUNTY
008-01-84

Record.....	225.50
* Total *	225.50 *

In Court of Special Appeals:

Filing Record on Appeal..	50.00
Printing Brief for	
Appellant.....	70.20
Portion of Record Extract--	
Appellant.....	163.80
* Total *	284.00

STATE OF MARYLAND, Sct:

I do hereby certify that the

EXHIBIT

Court of Special Appeals

No. 1982, September Term, 1982

Julian I. Richards

David B. Richardson and Mark A. Richardson
Personal Representatives of the Estate of
Richardson and Richardson

JUDGMENT: March 10, 1982, per Justice
Ellis. Judgment affirmed.
Costs to be paid by appellant.

April 12, 1982. Writings issued.

STATEMENT OF COSTS:

IN CLERK COURT: FOR MONTGOMERY
COUNTY
902-11-84

Revised..... \$25.00
* Total * \$25.00

IN COURT OF SPECIAL APPEALS:

Filing record as appeal..... \$0.00
Printing brief for
appellant..... \$0.00
Costs of Record Exhibit
appellant..... \$0.00
* Total * \$0.00

STATE OF MONTGOMERY
I do hereby certify that the

foregoing is truly taken from the records and proceedings of the said Court of Special Appeals, in testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Special Appeals, the nineteenth day of April A.D. 1989.

Leslie D. Gradet
Clerk of the Court of
Special Appeals

COSTS SHOWN ON THIS MANDATE ARE TO BE
SETTLED BETWEEN COUNSEL AND NOT THROUGH
THIS OFFICE.